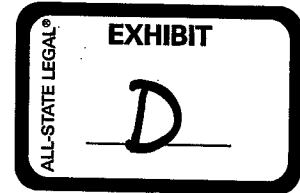


**UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)**



**JAIME GARCIA, et ux.**

Plaintiffs

v.

**RONALD D. KIRSTIEN, et al.**

Defendants

Civil No. BEL 01 CV 0103

**DECLARATION OF DAVID J. NORMAN, ESQUIRE**

I, David, J. Norman, Esquire, have first been duly sworn, depose and say under oath:

1. I am an adult, citizen of the United States and resident of the State of Maryland.
2. I am an attorney licensed to practice law in the State of Maryland.
3. I am competent to testify on all matters stated herein on personal knowledge.
4. Randy Habeck resigned from the Board of Directors of Chef Garcia, Inc. in

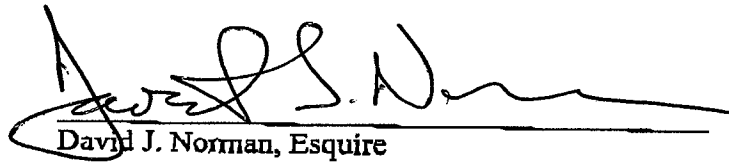
October or November 1997. This resignation came about due to frequent agitation prior to this time by Jim Garcia to have Mr. Habeck removed from the Board of Directors. My recollection is that as a result of Mr. Garcia's complaints, Ronald Kirstein requested that Mr. Habeck resign. Mr. Habeck complied and resigned.

5. Mr. Habeck did not attend any meetings of the Board of Directors of Chef Garcia, Inc. from November 1997 onward, nor did he undertake any actions after that time with respect to the corporate governance of Chef Garcia, Inc. as a member of the Board of Directors.

6. Mr. Habeck was not involved in the decision of the Board of Directors of Chef Garcia, Inc. terminate Jim and Elvira Garcia from their employment with Chef Garcia, Inc.

7. Attached hereto as Defendants' Exhibit 18 is a true and correct copy of a letter that I wrote to David F. Albright, Sr., Esquire dated December 29, 1997. The meeting referenced in that letter did not occur. However, the "potential claim against the Company's broker" referenced in that letter directly refers to claims that Mr. Garcia alleged that Chef Garcia, inc. had against its broker Habeck-Zaitz & Associates, Inc. then known as Impact Sales, Inc.

**I SOLEMNLY AFFIRM UNDER PENALTIES OF PERJURY AND UPON  
PERSONAL KNOWLEDGE THAT THE CONTENTS OF THE  
FOREGOING DECLARATION ARE TRUE AND CORRECT.**

  
David J. Norman, Esquire

**MASON, KETTERMAN & MORGAN**

ATTORNEYS AT LAW

A PROFESSIONAL ASSOCIATION

SUITE 100

1837 CROFTON BOULEVARD  
CROFTON, MARYLAND 21114

DAVID J. NOEMAN (D.D.)  
OF COUNSEL

(410) 793-0504  
FAX (410) 793-0522

December 29, 1997

**VIA FACSIMILE/MAIL**

(410) 244-0336

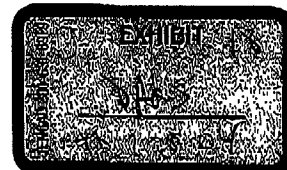
David F. Albright, Sr., Esquire  
Albright, Brown & Goertemiller  
120 East Baltimore Street  
Suite 2150  
Baltimore, Maryland 21202

Re: Chef Garcia, Inc.: Board Meeting 1/2/98

Dear David:

After a lengthy discussion with my clients, they are agreeable to moving today's scheduled Board of Directors meeting to *Friday, January 2, 1998 at 10:00 a.m.* at their offices. Present at this meeting will be Ron Kirstien, Harvey Rothstein and I, with Jim Garcia and you as the only other attendees. The following topics will be the subject of this meeting:

1. Your presentation regarding a potential claim against the Company's broker;
2. Jim's presentation of a plan to operate the Company without any further infusion of cash from Ron and Harvey.
3. Your presentation on a buy-out plan for Jim to repurchase the Company from the investors.



PL3142

David F. Albright, Sr., Esquire  
December 29, 1997  
Page Two  
\*\*\*\*\*

I am transmitting and enclosing with this letter copies of promotional schedules dated July 3, 1997 and November 26, 1997 showing the Giant Food promotions for the 12oz. chip conversion (from the 16oz. size).

Very truly yours,

*David J. Norman*

David J. Norman

Enclosures

cc: Ronald D. Kirstien  
Harvey Rothstein

01/21/2004 14:30 FRA 301380 1301 SELZER GUNVITON 0000000

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